President : The time for the Demand having expired, the question before the House is that Government be granted a sum of Rs. 10,70,419 under Demand XIV—Administration of Justice.

The motion was put and carried.

The Demand was made.

DEMAND XV—JAILS.

Mr. Puthupalli S. Krishna Pillai : Sir, I beg to move for a grant not exceeding Rs. 1,39,484 under Demand XV—Jails.

Mr. Kochikal P. Balakrishnan Tampi : Sir, I wish to oppose this Demand just to point out that this Government which prides itself in making the administration very progressive in many other directions has not done anything so far to show that in the matter of prison administration we are coming into line with the rest of the civilised world especially with reference to diet. I am told that the diet given in the prison is not so good as it was before. When I read the other day that another sister State is giving eight or nine ounces of buttermilk and curds to the prisoners, the disparity was more forcibly brought to my mind.

I also wish to draw the attention of the House that so far absolutely no arrangements have been made for changing the rules in respect of political prisoners. As has been repeated by Government, some of these people are men of high character, universally respected in spite of difference of opinion in politics, even respected by Government so far as I know. But then, that they should be treated on a par with criminals so that they may be compelled to change their political opinions does not show at any rate the height of statesmanship. Even as a matter of policy and tact, the best way to change their opinions, inconvenient opinions, perhaps is not to treat them harshly but rather to impress upon these people that the Government is very fair to all concerned. I have been hearing very alarming reports about the health of Mr. Thanu Pillai who is now in jail. This House would like to be told whether those rumours are baseless. I am told that he has lost weight by 10 lbs or so. It is these things that create great apprehension in the minds of the people.

I was told that for the past two or three years the jail was managed by some subordinate Police Officer. I was told that the jail was open to the Inspector-General of Police, that he was frequently visiting it, that he was having dealings with the prisoners, that he was sending Christmas cakes even to some distinguished convict. These things will bring down the tone of administration of the jail.

President : The Inspector-General was also the Superintendent of the Central Prison.

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Mr. Kochikal P. Balakrishnan Tampi: I am referring to that period as well as the period before that.

That leads me to another thing. It is against all principles of jail administration that once a man is convicted he should be given back to the control of the Police. I understand that some infringement of jail rules was committed in so far as some convicts were sent to Police lock-ups after a period of incarceration in jails. I should like to be assured that all these are baseless accusations.

Mr. James Fletcher : Sir, I support the Demand. I would like to bring to the notice of Government one or two important facts. In the Central Jail the hardened criminals and first offenders are put together in the same cell. The offender might have by mischance committed some crime, and when he is sent to the Jail and put along with the old offenders he comes under the influence of the hardened criminals so that when he goes out he goes as a hardened criminal. It is high time that some separation is made and that some chances are given to the first offenders to improve themselves.

Another point I wish to bring to the notice of the House is that juvenile offenders, such as persons within the age of 18 and 24, are not given any special treatment. What I mean is that young men who could be reformed should be taken away from their evil ways and made better citizens. No such attempt is possible in the Central Prison because there is no provision or arrangements for it. In a progressive State like Travancore we ought to make an attempt as early as possible to separate the juvenile first offenders from the hardened criminals. I wish also to submit that these juvenile offenders may be taught some profession while in the jail so that when they go out they can earn their living without going back to crime.

Mr. Thomas chandy Mukkadan : സർ, ഈ ഡിമാൻറിനെ അനുകൂലിച്ചുകൊണ്ട് ഒരുകാര്യം പ്രസ്താവിക്കണമെന്നു ഞാൻ ആഗ്രഹിക്കുന്നു. ഇവിടത്തെ ജയിലിലെ ആഹാരക്രമത്തെ സംബന്ധിച്ച് ബഹുമാനപ്പെട്ട ഒരു മെംബർ പ്രസ്താവിക്കുകയുണ്ടായി. എന്നാൽ തിരുവിതാംകൂറിലെ ജയിലിലെ ആഹാരക്രമത്തെപ്പോലെ മറെറങ്ങും ഇല്ലെന്നുള്ള ഒരു പരാതിയാണ് ഇവിടെ ക്രിമിനൽ കേസുകളുടെ വർദ്ധനയ്ക്കും സംഖ്യാധിക്യത്തിനും കാരണമെന്ന് പരക്കെ വിശ്വസിക്കപ്പെട്ടുപോരുന്നു. ഇവിടത്തെ സെൻട്രൽജയിലിൽ കിട്ടുന്നതുപോലെ അത്ര പരിശുദ്ധമായ കഞ്ഞിവെള്ളം മറെറാരു സ്ഥാനങ്ങളിലും ഇല്ലെന്നുള്ളതു് അവിടെ പോയി അനുഭവിച്ച ആളുകളിൽനിന്നും അറിയാൻ ഇടയായിട്ടുണ്ട്.

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കഴിഞ്ഞ ഒരവസരത്തിൽ, ഫ്രഞ്ച് കൊല്ലക്കാലത്തേയ്ക്ക് ശിക്ഷിക്കപ്പെട്ട ജയിലിൽ കിടന്നശേഷം മോചനംലഭിച്ച ഒരാളിനെ വഴിക്കുവച്ച് എനിക്ക് കാണാൻ ഇടയുണ്ടായി. അയാളിൽനിന്നും അവിടത്തെ സ്ഥിതിഗതികൾ മനസ്സിലാക്കുവാൻ എനിക്ക് കഴിഞ്ഞിട്ടുണ്ട്. വെറും ഒരു പരമാർത്ഥം പറയുകയാണ്, ക്രിമിനൽ പുള്ളികളിൽ പലരും അവരുടെ വീടുകളിലായിരുന്നപ്പോൾ ക്രമമായിട്ടോ, മുഷ്യസമയത്തോ ഭക്ഷണം കഴിക്കുന്നവരായിരുന്നില്ല. ജയിലിൽ നിയമപ്രകാരവും കൃത്യസമയത്തും ആഹാരം കിട്ടുന്നതുകൊണ്ട് പുറത്തിറങ്ങിയാൽ അയാളുടെ ചുറുപാട് കൊണ്ട് ജയിലിൽ കഴിഞ്ഞതുപോലുള്ള രീതിയിൽ കഴിയാൻ സാധിക്കാത്തതിനാൽ വീണ്ടും ജയിലിൽ പോയാൽ കൊള്ളാമെന്നാണ് അവരുടെ ആഗ്രഹം. അതുകൊണ്ട് ഇപ്രകാരമുള്ള ജയിൽപുരുഷം അധികമാകാതിരിക്കുന്നതിനായി അവിടെ ആഹാരക്രമം അല്പം വ്യത്യാസപ്പെടുത്തിയാലും വേണ്ടുകില്ലെന്നാണ് എനിക്ക് പ്രസ്താവിപ്പാനുള്ളത്. ഇനി അവരുടെ മുക്കത്തിന്റെ കഥ പറയുകയാണെങ്കിൽ സ്വന്തം കേട്ടുകൊണ്ടോ ആശുപത്രിയിൽ അയയ്ക്കേണ്ടതായിവരുന്നു. അതുകൊണ്ടോ മാത്രമല്ല, മനോവിഷാദംകൊണ്ടും മുഖത്തിന് മാറ്റമുണ്ടാകാവുന്നതാണ്. ഇവിടെ പ്രസ്താവിക്കപ്പെട്ട അഭിപ്രായം, മറ്റു മാന്യന്റെ ചരിത്രത്തെപ്പറ്റി ആലോചിക്കുകയായിരുന്നാൽ, താൻ ചെയ്തുപോയിട്ടുള്ള പ്രവൃത്തികൾ തെറ്റാണെന്നും അതുകൊണ്ടുമുതൽ പ്രവർത്തിക്കേണ്ട ആവശ്യമില്ലായിരുന്നുവെന്നും ഉള്ള പശ്ചാത്താപത്തിന് കാരണമായിട്ട് ആയിരിക്കാം മുക്കത്തിന് മാറ്റം വന്നുപോയിട്ടുള്ളത്. ഈ രാജ്യത്തെ ജയിൽഭരണം ഉച്ചികരവും നിരാക്ഷേപവും ആയിട്ടുള്ളതാണെന്നാണെന്ന് പ്രസ്താവിക്കാൻ എനിക്ക് ധൈര്യപ്പെടുന്നു.

Mr. P. N. Nilakanta Pillai: Sir, I support the Demand. From the experience of my friends who have gone to Jail for political reasons, I can tell the House that they have improved in their health by remaining in the Jail.

Mr. T. Mahomed Ismail: Is it a propaganda to go to Jail?

Mr. P. N. Nilakanta Pillai: The member may take it in any way he likes.

Mr. Thomas Chandy Mukkadan: മെമ്പർ ഇപ്പോഴും ജയിലിനടുത്തു തന്നെയാണോ താമസം; ആ അനുഭവം കൊണ്ടാണോ ഇപ്രകാരം പ്രസ്താവിക്കുന്നത്?

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Mr. P. N. Nilakanta Pillai : ആ അനുഭവം കൊണ്ടല്ല, എനിക്ക് മറ്റൊരുത്തിൽ ലഭിച്ചിട്ടുള്ള അനുഭവം വച്ചുകൊണ്ടാണ് പറയുന്നത്.

Therefore I do not agree with my honourable friend Mr. Balakrishnan Tampi that the food supplied is not good or not sufficient.

I do not know whether there is any law prohibiting the Inspector-General from going to the Prison. If there is any such prohibition I do not think it is right on his part to go there.

Rajyasevapravina Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: Sir, as usual Mr. Tampi has indulged in a lot of incorrect statements. I am not surprised that such statements have been made because I am used to such statements from him.

Mr. Kochikal P. Balakrishnan Tampi: I rise to a point of order. He must withdraw the words "as usual".

Rajyasevapravina Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: No, I am not going to withdraw.

President: Order, order.

Mr. Kochikal P. Balakrishnan Tampi: I object to what he has stated just now.

Mr. T. Krishna Pillai: Is the honourable member in order when he said "I object to that member's statement"?

Rajyasevapravina Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: It was a very unseemly statement; so I had to say that. He said that political prisoners are not given special food. There is no special food to any convict. Here a politician commits an ordinary offence and goes to the Jail. He is not a political prisoner. So under the present rules he is treated as an ordinary prisoner and he is given the food prescribed for all prisoners whoever they may be. As a matter of fact the two gentlemen referred to by the honourable member are ordinary prisoners. They defied the law of the land. They were tried and sentenced and they are in the Central Prison now. They have to follow the Prison Rules.

Mr. K. K. Kuruvilla: I should like to know what food is now being given there.

Rajyasevapravina Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: I am coming to that. I was a prison worker after my retirement. I retired in 1932. Within a month after that, I became a non-official visitor to the penitentiary in Madras. I took a keen interest in that institution. I resigned

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that position only when I came here. I found that in Madras a prisoner's food costs 2 as. 8 ps. It is ridiculously low. I took up the matter and discussed it in the board and in the conferences. I moved a resolution on the subject and Miss Skudder seconded it. We waited on a deputation before the Law Member, Sir K. V. Reddy and we successfully carried through our agitation. And when I was made the Jail Superintendent, I used to visit the Jail several times a day just to see if there is any hanky-panky there, because I know that the prisoners have been complaining about the warders and the warders have been complaining about the prisoners. I went there not in my capacity of Inspector-General, but in my capacity as Jail Superintendent.

When I came here I took up the food question. I find that the best food in India is given here. I have visited several jails in India, and I find that the best food is being given here. More than 80% of the people who have gone there have gained weight. In the beginning they were losing, because they were not subjected to discipline, before they went in there. Once there it is all discipline. Early in the morning they are given Kanji and sammandhi and in the noon and evening they are given rice, buttermilk and a curry, and oilbath twice a week. When I was the superintendent, I used to inspect the raw materials brought in by the contractors. In fact I fined a contractor for bringing materials of bad quality; and the contractor who has been doing this mischief for a long time has been dismissed by the Government. I am not talking as the Inspector-General or the ex-Superintendent, but as a jail worker when I say that they get here the best food in India. There is no reason why any one should complain. The other day the Secretary of the Discharged Prisoners' Aid Society, Madras, came here. I took him round the prison. He went into every block and he asked the prisoners how they were getting on. They said that they were very happy.

I now come to Mr. Ramachandran and Mr. Pattom Thanu Pillai. I know they lost weight, because they were not used to a disciplined life outside and they were not used to that kind of food. But the food is prescribed by law; we cannot change it. We found sometime ago that one of them suffered from cold; we took him to the doctor and the doctor said we should give him special food; we gave him that. As a matter of fact, I may take the House into confidence and say that there was nobody in the jail to whom such concessions were shown as these two. They had their own shaving set, their own oil, even though they are ordinary prisoners. These

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[Rajyasevapravina Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy.]

are concessions which nobody else enjoyed. The moment the Dewan's back is turned there are complaints about him, and it is this same Dewan who allowed these two gentlemen all the concessions.

Mr. Kochikal P. Balakrishnan Tampi: I rise to a point of order. Why should the name of the ex-Dewan be dragged in here?

Rajyasevapravina Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: Because the honourable member attacks him at his back. Some thing was said about the political prisoners. May I tell honourable members of this House what some of these political prisoners did? I am not including Mr. Ramachandran and Mr. Pattom Thanu Pillai; they never did it, I take my hat to them. Special food was given to some prisoners who were patients. Some of these prisoners had the wickedness to arrange clandestinely to get the food, of the sick, and these people took it for themselves. Fancy you are sick in the hospital and your food is taken away by the hospital servant and he enjoys it. These people who when they go out, say they are for truth, they work for the common cause, had the heartlessness to steal the food that was supplied to a fellow prisoner who was sick. I invite the attention of this gentleman who now comes and pleads for this and that to a historic article which Mahatmaji has written some years ago 'The Ideal Prisoner.' He says 'The moment you are in jail, conform to the rules.' That is not the rule followed in the Central Prison by the so-called politicals here. A certain prisoner was in possession of a proscribed book. I asked her from where she got it. The answer was that it fell from heaven. And she happened to be one of the presidents of the State Congress. Fancy a president of the State Congress telling such a blatant lie!

Mr. Kochikal P. Balakrishnan Tampi: Are all these relevant here?

President: The time allowed for the honourable member is over.

Mr. Puthupally S. Krishna Pillai: So far as prison rules are concerned, I may be permitted to make one or two observations. My friend Mr. Tampi said that these political prisoners should be shown some concessions. Our rules provide for such concessions, but that matter is not entirely in the hands of Government. Under our rules, it is the court that has to determine whether any special provision is to be made. These are covered by rules 620 (a) and 620 (d) of the jail rules. There was

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no recommendation made in the case of the two prisoners mentioned here, and it is not in the power of Government to interfere with the judgment of the court.

Mr. T. Krishna Pillai : Is it possible for anyone to appeal to the court ?

Mr. Puthupally S. Krishna Pillai : It is a question of law for which the party concerned should seek legal advice. It is not in my capacity as Legal Remembrancer that I should offer such advice.

So long as a prisoner is an ordinary prisoner, even though he happens to be the best social worker, he has to be treated as an ordinary prisoner. There is no saying that any special treatment can be or should be accorded to any particular prisoner.

Mr. T. Krishna Pillai : The Inspector General said that the concession of allowing the use of their own oil was shown to Mr. G. Ramachandran and Mr. Pattom Thanu Pillai. How is that ?

Mr. Puthupally S. Krishna Pillai : Because, if they did not use their own medicated oil, those people used to get inflammation of the lungs, clot in the throat, cold in the head and all that.

Mr. T. Krishna Pillai : In view of the fact that those prisoners have lost their health, why not a better diet be given ?

Mr. Puthupally S. Krishna Pillai : The fact that a person is losing weight does not mean that he is losing health. If you are asked to take exercise for a few days, or if you are asked to take meals only at stated intervals, you may be for a few days losing weight, but you also gain it with redoubled velocity when you continue it. Many of those who return from the Jail do not seem to have lost health. If the Government see that they are not suffering from any disease or from any hardship they are being shown the concession that can be shown to them under the rules ; nobody, either the prisoners themselves or members of this House, I think will have any occasion or reason to complain.

With reference to the point raised by Mr. Tampi namely the eight ounces of buttermilk, the Inspector General has explained in detail. Under the Rule 296 an Indian prisoner, Travancore prisoner included, has to be given 8 ounces of buttermilk. That is item number 3 in the scale of diet prescribed under Rule 296.

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Mr. Kochikal P. Balakrishnan Tampi: Is the rule adhered to now?

Mr. Puthupally S. Krishna Pillai: Certainly. It is being adhered to. That is the existing rule and the existing practice. Very recently certain rules in the jail rules were revised. I consider they should be treated as one of the beneficent measures for the betterment of jail life. Until recently a person sentenced to hard labour had to carry the ankle ring, irrespective of his position, status or respectability. That system has now been abolished. That is a great reform introduced during this year and that is a fact that will be acknowledged by all those who have gone to jail. The question of further revising the jail rules is already engaging the attention of Government. A committee consisting of the Surgeon General, the Director of Public Health, the Legal Remembrancer, the District Magistrate and the Inspector General of Police has already been appointed. And that committee has done a portion of the work. In very many important respects these jail rules will be amended and brought-up-to date. Honourable members will notice that these rules are very old and because the administration wanted to remove some of these defects, the rules regarding the wearing of ankles were immediately amended and brought on a line with the rules prevailing elsewhere. Mr. Fletcher said that small offenders should not mix with the old convicts.

There are rules relating to that matter even today and those rules are strictly followed. No juvenile offender is allowed to mix himself with an old offender. It will also be found that in the case of first offenders we have amended the Criminal Procedure Code in such a way that he need not be sent to the prison at all. He can be let off with a reprimand or on probation or he may be let off with a warning.

Mr. V. Sankara Menon: May I know whether the member is aware that there is a society called the Discharged Prisoners Association?

Mr. Puthupally S. Krishna Pillai: Yes, there are ever so many societies like that. In fact the Inspector-General has referred to a society doing very good work in British India. So, on the whole the criticisms that have been offered here do not appear to be quite justifiable at this moment. The whole question will be revised and if there is anything in respect of which revision should be effected in respect of jail life, it would be done. With these words, I request the honourable members to support the motion.

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The question that Government be granted a sum of Rs. 1,39,484 under Demand XV was put and carried.

The motion was passed and the grant was made.

DEMAND XVI—POLICE.

Rajyasevapravina Khan Bahadur G. S. Abdul Karim Sahib Suhrawardy: Sir, I move for a grant of Rs. 9,82,357 under Demand XVI—Police.

Mr. E. K. Kuriyppe (*Parur Kunatunad and Muvattupuzha cum Devikolam*): സർ, ഭരണതന്ത്രജ്ഞനായ സർ സി. പി. രാമസ്വാമി അയ്യരുടെ കാലത്താണ് പോലീസ ഡിപ്പാർട്ടുമെൻറിൽ വലിയപരിവർത്തനം ഉണ്ടാകാൻ ഇടയായിട്ടുള്ളതു എന്നുള്ള സംഗതിപ്രസ്താവിക്കാൻ സന്തോഷം ഉണ്ട്. അദ്ദേഹം തിരുവിതാംകൂറിൻെറ ഭരണാദ്ധ്യക്ഷനായിരുന്നകാലം മുതൽക്കാണ് ഈ ഡിപ്പാർട്ടുമെൻറിൽ കൈക്കൂലികഠംക്കും അഴിമതികഠംക്കും കുറവുവന്നിട്ടുള്ളതു്. മുൻകാലങ്ങളിൽ ഈ ഡിപ്പാർട്ടുമെൻറിൻെറ മേലദ്ധ്യക്ഷന്മാരായിരുന്നവരിൽചിലർ പോലും കൈക്കൂലി വാങ്ങുന്ന പതിവുണ്ടായിരുന്നു. ക്രടാതെ എ. എസ്. പി.; ഡി. എസ്. പി. മുതലായ ഉദ്യോസ്ഥന്മാരും കൈക്കൂലിക്കാരായിരുന്നു. എന്നാൽ ഇപ്പോഠം ഇൻസ്പെകടർമാർ വരെയുള്ള ഉയന്ന ഉദ്യോഗസ്ഥന്മാരുടെ ഇടയിൽ കൈക്കൂലികഠംക്ക വളരെ കുറവുണ്ട്. പക്ഷെ, ഹെഡ്കാൺസ്റ്റബിഠംമാരുടേയും കാൺസ്റ്റബിഠംമാരുടേയും കൈക്കൂലികഠം കുറഞ്ഞിട്ടില്ല. അതു് അവരുടെ ചുരുങ്ങിയ ശമ്പളംകൊണ്ടാണ്. അവരുടെ ശമ്പളം കൂട്ടിക്കൊടുക്കണം. ഈ രാജ്യത്തു് പല സംഭവങ്ങളും ഈ അടുത്തകാലത്തു ഉണ്ടാകുവാൻ ഇടയായിട്ടുണ്ടു. സ്റ്റേറ്റു കാൺഗ്രസ്സ് പ്രക്ഷോഭണകാലത്തു് ഈ ഡിപ്പാർട്ടുമെൻറുകാരെകൊണ്ടു് പല വൈഷമ്യങ്ങളും ജനങ്ങഠം അനുഭവിക്കുന്നതിനിടയായിട്ടുണ്ട്. എന്നാൽ ആ പ്രക്ഷോഭണങ്ങഠം എല്ലാംതീർന്ന ഇപ്പോഠം സമാധാനകരമായ ഒരു അന്തരീക്ഷമാണ് നമ്മുടെ രാജ്യത്തിൽ കാണുന്നതു്. ഈ കാലഘട്ടത്തിൽ പോലീസ് ഡിപ്പാർട്ടുമെൻറുകാർ സാമാന്യജനങ്ങളുടെ സ്നേഹം സമ്പാദിക്കുവാനാണ് ശ്രമിക്കേണ്ടതു്. ഇപ്പോഠം പല അള്ളുകളും പല പ്രചരണങ്ങളും ഇവിടെ നടത്തുന്നുണ്ട്. ദിവാൻജി അവർകഠം പോയതുകൊണ്ടു് ഈ ഡിപ്പാർട്ടുമെൻറു മേലദ്ധ്യക്ഷനും ഉദ്യോഗം ഒഴിഞ്ഞുപോകാൻ പോകുന്നുവെന്നും അതല്ലാ, അദ്ദേഹത്തെ ഗവണ്മെൻറിൽ നിന്നും ചില കാരണങ്ങളാൽ പിരിച്ചയക്കാൻ പോകുന്നുവെന്നുമുള്ള പല കേഠംവികളും ഉണ്ട്.

President: All those rumours are unfounded.

LIBRARY ARCHIVES Kerala Legislative Assembly